

## Chapter 152. Animals

### Article I. Outdoor Tethering of Dogs

#### § 152-2. Definitions.

As used in this article:

**TETHER** - To restrain a dog by attaching the dog to any object or structure, including, without limitation, a house, tree, fence, post, garage, or shed, by any means, including, without limitation, a chain, rope, cord, leash, or running line. "Tethering" does not include the use of a leash to walk a dog.

**WEATHER ALERT** -A National Weather Service warning for heat advisory, frigid weather, snow or ice storm, tornados, tropical storm, high winds or thunderstorms.

#### § 152-3. Tethering limited.

It shall be unlawful to tether a dog outdoors, except when all of the following conditions are met:

**A.** The tether must be attached to the dog with a buckle-type collar or a body harness made of nylon or leather that is at least one inch thick. Choke or pinch-type collars, attached weights and chains over 1/4 inch thick cannot be utilized for tethering.

**B.** Length requirements.

**(1)** The length of a stationary tether shall not be less than 10 feet or five times the length of the dog's body as measured from the tip of the nose to the base of the tail, whichever length is greater; shall connect at both ends with a swivel; shall weigh less than 1/10 of the dog's weight; shall be free of tangles; and shall restrain the dog to the owner's property.

**(2)** If the dog is tethered to a pulley, running line, or trolley or cable system, it must be a minimum of 15 feet long and less than seven feet above the ground.

**C.** The dog must have access to shade, food, water, shelter and dry ground.

**D.** The dog must not be tethered outdoors during a weather alert event.

**E.** The tethered dog is at least six months old.

**F.** The tethered dog is apparently free of any health condition that would be exacerbated by tethering.

**G.** If there are multiple dogs, each must be tethered separately.

**H.** A tethered dog shall have access to appropriate shelter that will allow the dog to remain dry and to be protected from the elements. In addition to complying with the requirements of § 353-b of New York State Agriculture and Markets Law, the shelter shall be fully enclosed on all sides except one, which side shall have an opening that will allow the dog easy entry to and exit from the shelter; have a slanted, waterproof roof; have a solid floor. The shelter shall contain clean bedding and shall be small enough to retain the dog's body heat and

large enough to allow the dog to stand, lie down with limbs outstretched, and turn around comfortably. The area around the shelter shall be kept free of standing water, ice and waste.

I. A dog may be tethered outside for a maximum of 12 hours in any twenty-four-hour period.

J. In addition to the above requirements, tethered dogs must be free of cruel conditions or inhumane tethering at any time. For purposes of this section, "cruel conditions or inhumane tethering" shall include the following:

(1) Exposure to animal waste, garbage, noxious odors or objects that could injure or kill a dog.

(2) Exposure to taunting, prodding, provoking, hitting, harassing, threatening or otherwise harming a tethered or confined dog.

(3) Exposing a dog to dangerous conditions, including potential attacks by other animals.

#### **§ 152-4. Enforcement; penalties for offenses.**

A. This article shall be enforced by the office of the Ulster County Sheriff and may also be enforced by any police officer, local dog control or animal control officer, or humane law officer or investigator with jurisdiction within Ulster County.

B. A violation of any of the provisions of this article shall, for a first offense, be punishable by a fine of up to \$100 and/or an educational component at the judge's discretion.

C. For a second offense, the fine shall be up to \$500 and/or 50 hours of community service plus reimbursement of investigation costs.

D. For a third or subsequent violation, the fine shall be \$1,000 and/or 150 hours of community service plus surrender of the dog, if ordered by the court, plus costs of investigation and prosecution, not to exceed \$2,000. In addition, all third-time offenders, subsequent to the enactment of this article, are required to register as an animal abuser at such time that an animal abuse registry is lawfully established.

E. Fines collected pursuant to this section shall be deposited with the Ulster County Commissioner of Finance, identified with a separate General Ledger account number in the Sheriff's budget, and shall be used for animal protection education in the County of Ulster and/or the maintenance of an animal abuse registry as may be lawfully established.

#### **§ 152-5. Exceptions.**

A dog tethered in compliance with the requirements of a campground area holding an Ulster County Health Department permit shall be exempt from these regulations.